

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
)
Plaintiff,)
)
)
v.) Case No.: 11-00303-CR-W-GAF
)
)
LONNIE GOODRICH,)
)
)
Defendant.)

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on February 1, 2012. Defendant Goodrich appeared pro se and with stand-by counsel Katrina Robertson. The United States of America appeared by Assistant United States Attorneys David DeTar Newbert and Ryan Hershberger.

I. BACKGROUND

On December 14, 2011, an indictment was returned charging Defendant with one count of managing and controlling a “drug house,” in violation of 21 U.S.C. §§ 856(a)(2) and (b).

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. DeTar Newbert announced that he and Mr. Hershberger will be the trial counsel for the government. The case agent to be seated at counsel table is ATF Task Force Officer Greg Coon.

Mr. Goodrich will represent himself. Katrina Robertson will be present as stand-by counsel.

III. OUTSTANDING MOTIONS

- Motion to Dismiss for Lack of Jurisdiction (Doc. No. 9), *Report & Recommendation filed 01/27/12 (Doc. No. 23)*.

IV. TRIAL WITNESSES

Mr. DeTar Newbert announced that the government intends to call 20-25 witnesses without stipulations or 18-23 witnesses with stipulations during the trial.

Mr. Goodrich does not intend to call any witnesses during the trial. Mr. Goodrich may testify.

V. TRIAL EXHIBITS

Mr. DeTar Newbert announced that the government will offer approximately 60-70 exhibits in evidence during the trial.

Mr. Goodrich will not offer any exhibits in evidence during the trial.

VI. DEFENSES

Mr. Goodrich will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Goodrich stated this case is definitely for trial.

VIII. STIPULATIONS

Stipulations are not likely.

IX. TRIAL TIME

The government stated its case will take 2 days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That each party file and serve a list of exhibits he intends to offer in evidence at the trial of

this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by February 3, 2012;

That each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, February 8, 2012;

That each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions¹ by or before noon, Wednesday, February 8, 2012. The parties are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and by e-mail to the trial judge's courtroom deputy.

XI. *UNUSUAL QUESTIONS OF LAW*

No motions in limine are anticipated. There are no unusual questions of law.

XII. *TRIAL SETTING*

The parties were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on February 21, 2012. Defendant stated he would waive his right to a jury trial. Pursuant to Federal Rule of Criminal Procedure 23(c), "In a case tried without a jury, the court must find the defendant guilty or not guilty. If a party requests before the finding of guilty or not guilty, the court must state its specific findings of fact in open court or in a written decision or opinion."

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
February 1, 2012

¹Parties in all cases assigned to be tried before Chief Judge Fernando Gaitan, Jr., as reflected in the trial letter, shall meet and prepare a packet of agreed proposed jury instructions to be submitted to Judge Gaitan and e-mailed to marylynn_shawver@mow.uscourts.gov and rhonda_enss@mow.uscourts.gov by February 10, 2012. To the extent there are disagreements to certain instructions, the parties shall tab and submit his or her preference on those instructions. The instructions shall be listed in the order they are to be given.

cc: Mr. Kevin Lyon